

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendment and following discussion, is respectfully requested.

Claims 1-2, 5-6, 8-14, and 16; Claims 1, 2, 6, 8, 9, 11-14, and 16 are amended; and Claims 3, 4, 7, 15, and 17-18 are canceled by the present amendment. Support for claim amendments is found at least in the originally filed claims. Thus, no new matter is added.

In the outstanding Office Action, Claims 15-18 were rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter; Claims 11-18 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite; Claims 1-2, 6, and 11-18 were rejected under 35 U.S.C. § 102(e) as anticipated by Wildig et al. (GB 2325544, hereinafter “Wildig”); Claims 1-18 were rejected under 35 U.S.C. § 102(e) as anticipated by Lewis (U.S. Patent Publication No. 2005/0144641).

Applicant and Applicant’s representatives greatly appreciate the courtesy of a personal interview with the Examiner on January 18, 2006. During the interview, differences between the present invention and the references in the outstanding Office Action were discussed. The Examiner agreed that the claims as amended herein overcome the rejections of record.

In response to the rejection of Claims 15-18 under 35 U.S.C. § 101, Applicant has amended Claim 16 so that it is directed to statutory subject matter. Claims 15, 17, and 18 are canceled making the rejection moot with regard to these claims. Accordingly, the rejection of Claim 16 under 35 U.S.C. § 101 is believed to have been overcome. Therefore it is respectfully requested that the rejection of Claim 16 under 35 U.S.C. § 101 be withdrawn.

In response to the rejection of Claims 11-18 under 35 U.S.C. § 112, second paragraph, Claims 11-14 are amended to remove the phrase “or the like.” Accordingly, the grounds for

rejection are believed to have been overcome. Therefore, it is respectfully requested that the rejection of Claims 11-14 and 16 under 35 U.S.C. § 112, second paragraph be withdrawn.

Applicant respectfully traverses the rejection of Claims 1-18 under 35 U.S.C. § 102(e) as anticipated by Lewis.

Amended Claim 1 is directed to a method of facilitating identification of audio and/or video productions, the method comprising, in part, identifying the copyright owner of each of said items of audio/video material used to form said new audio/video production, and populating a register with an identifier of the copyright owner of each of the audio/video material items in association with a corresponding unique identification code. Amended Claims 6 and 16 recite analogous features in alternate statutory form, therefore arguments made on behalf of Claim 1 also apply to Claims 6 and 16.

The invention describes a method and system for facilitating identification of audio and/or video productions. The present invention provides an advantage in maintaining an association of the audio/video production with a code which uniquely identifies the production and by generating a unique identification code for each audio/video material item from which the audio/video production is comprised.¹ The invention is used to facilitate copyright licensing and billing for use of particular audio/video material items.² Copyright licensing and billing is facilitated by, identifying the copyright owner of each of said items of audio/video material used to form said new audio/video production and populating a register with an identifier of the copyright owner of each of the audio/video material items in association with the corresponding unique identification codes, as recited in amended Claim 1.

¹ Specification, page 2, line 15 to page 3, line 4.

² Specification, page 4, lines 9-24.

Lewis describes an on-demand rental and purchase system and data management for viewing and purchasing digital data products.³ As acknowledged during the interview, Lewis does not describe identifying the copyright owner of each of said items of audio/video material used to form said new audio/video production and populating said register with an identifier of said copyright owner of each of said audio/video material items in association with a corresponding one of said unique identification codes, as recited in amended Claim 1. Lewis mentions copyright protection but not describe identification of the copyright owner.⁴ The copyright protection system in Lewis is used to protect from unauthorized duplication and not for identifying the respective copyright owner.⁵

Because Lewis does not describe every feature recited in Applicant's amended Claim 1 and similarly amended Claims 6 and 16, Applicant respectfully submits that amended independent Claims 1, 6, and 16, and claims dependent therefrom, are allowable.

It is therefore respectfully requested that the rejection of Claims 1-2, 5-6, 8-14, and 16 under 35 U.S.C. § 102(e) as anticipated by Lewis be withdrawn.

In response to the rejection of Claims 1-2, 6, and 11-18 under 35 U.S.C. § 102(e) as anticipated by Wildig, independent Claims 1 and 6 have been amended to incorporate the features of Claims 3 and 4, and 7, respectively. As acknowledged by the outstanding Office Action, Wildig does not disclose the features recited in original Claims 3, 4, or 7. Accordingly, the rejection of Claims 1 and 6 as anticipated by Wildig is believed to have been overcome.

It is therefore respectfully requested that the rejection of Claims 1-2, 6, 11-14, and 16 under 35 U.S.C. § 102(e) as anticipated by Wildig be withdrawn.

³ Lewis, Title.

⁴ Lewis, par. 18 and par. 43.

⁵ Lewis, par. 43.

Consequently, in view of the foregoing discussion and present amendment, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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